

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Common Cause Georgia, as an)	
organization,)	
)	
Plaintiff,)	
)	Case No. 1:18-CV-05012-AT
v.)	
)	The Honorable Amy Totenberg
Brian Kemp, in his official capacity as)	
Secretary of State of Georgia,)	
)	
Defendant.)	

DECLARATION OF MICHAEL McDONALD

My name is Michael P. McDonald. I am Associate Professor of Political Science at the University of Florida. I am widely regarded as a leading expert on United States elections. I have published extensively on elections in peer-reviewed journals and I produce what many consider to be the most reliable turnout rates of the nation and the states.¹ In the course of my election work, I have consulted for the United States Election Assistance Commission, the Department of Defense's Federal Voting Assistance Program, the media's National Exit Poll consortium, the Associated Press, ABC News, and NBC News. I have testified or produced reports

¹ Michael P. McDonald and Samuel Popkin. 2001. "The Myth of the Vanishing Voter." *American Political Science Review* 95(4): 963-974

in my capacity as an expert witness in seventeen election-related lawsuits, both for plaintiffs and defendants. Please see my curriculum vitae, attached hereto as Exhibit A, for more information.

I. Data Sources

I analyze a spreadsheet called “annual_prov_ballots.csv” provided to me by Plaintiff’s counsel, which contains data produced by the Georgia Secretary of State’s office in the Exhibit A to the Declaration of Chris Harvey (Doc. 33), and on the Secretary of State’s website. The data includes the total number of ballots and the number of provisional ballots cast in Georgia’s counties and statewide in the 2014, 2016, and 2018 general elections. The share of a county’s total ballots that were cast as provisional ballots (hereinafter “the provisional ballot rate”) in a given election is provided in the spreadsheet, which I verified is computed by dividing the number of provisional ballots by the total number of ballots.

	2018 Prov Ballots	2018 Total Ballots	2018 % Prov	2016 Prov Ballots	2016 Total Ballots	2016 % Prov	2014 Prov Ballots	2014 Total Ballots	2014 % Prov	Change 2016 to 2018	Change 2014 to 2018
<i>Statewide</i>	21,190	3,930,897	0.54%	16,739	4,165,405	0.40%	12,151	2,596,947	0.47%	0.14%	0.07%
<i>Chattahoochee</i>	34	1,104	3.08%	6	1,409	0.43%	2	715	0.28%	2.65%	2.80%
<i>Troup</i>	685	23,726	2.89%	667	26,334	2.53%	112	16,028	0.70%	0.35%	2.19%
<i>Decatur</i>	188	9,068	2.07%	129	10,355	1.25%	10	6,223	0.16%	0.83%	1.91%
<i>Jasper</i>	62	5,911	1.05%	6	6,082	0.10%	2	3,911	0.05%	0.95%	1.00%
<i>Miller</i>	23	2,319	0.99%	8	2,563	0.31%	1	1,471	0.07%	0.68%	0.92%
<i>Taylor</i>	30	3,272	0.92%	5	3,432	0.15%	0	2,247	0.00%	0.77%	0.92%
<i>Stewart</i>	40	1,794	2.23%	5	2,084	0.24%	18	1,274	1.41%	1.99%	0.82%
<i>Ben Hill</i>	50	5,551	0.90%	36	5,994	0.60%	3	3,565	0.08%	0.30%	0.82%
<i>Bulloch</i>	224	23,602	0.95%	130	25,695	0.51%	19	14,125	0.13%	0.44%	0.81%
<i>Elbert</i>	79	7,348	1.08%	80	8,073	0.99%	14	4,842	0.29%	0.08%	0.79%

Table 1. Georgia 2018, 2016, and 2014 Provisional Ballot Activity, Statewide and in Selected Counties

II. Analysis

In Table 1, I provide statistics on provisional ballot activity in Georgia statewide and in selected counties in the 2018, 2016, and 2014 general elections. In addition to the statistics provided in the spreadsheet, I compute two simple differences in the percentage of provisional ballots cast in the 2018 and 2016 elections and the 2018 and 2014 election. I sort the counties by the 2018 and 2014 difference and report the top ten counties in the spreadsheet.

Statewide, the Georgia Secretary of State's Office reports that in the 2018 election there are 21,190 provisional ballots cast out of 3,930,897 total ballots cast, for a provisional ballot rate of 0.54 percent. In 2016, there were 16,739 provisional ballots cast out of 4,165,405 total ballots cast for a provisional ballot rate of 0.40 percent. In 2014 there were 12,151 provisional ballots cast out of 2,596,947 total ballots cast for a provisional ballot rate of 0.47 percent. Statewide, provisional ballot rate has been increasing over time and there were 4,451 more provisional ballots cast in 2018 than in 2016, which had a higher turnout rate. As a consequence, the change in the provisional ballot rate from 2016 to 2018 increased by 0.14 percentage points and the provisional ballot rate from 2014 to 2018 increased by 0.07 percentage points.

I compute similar statistics the counties and list the top ten counties by the change in the difference from 2014 to 2018 general elections. All of these counties

have a change in the provisional ballot rate from 2014 to 2018 that is at least ten times greater than the statewide change of 0.07 percentage points. Chattahoochee County has a change of 2.80 percentage points. Troup County has a change of 2.19 percentage points. Decatur County has a change of 1.91 percentage points. Jasper has a change of 1.00 percentage points. Miller County has a change of 0.92 percentage points. Taylor County has a change of 0.92 percentage points. Stewart County has a change of 0.82 percentage points. Ben Hill has a change of 0.82 percentage points. Bulloch County has a change of 0.81 percentage points. Elbert County has a change of 0.79 percentage points.

This increase in provisional ballot rate is also evident in one of the state's biggest counties, DeKalb County. In the 2014 and 2016 general elections, the provisional ballot rate in DeKalb county was 0.469 percent and 0.363 percent, respectively. In the 2018 election, that number more than doubled to 0.97 percent. Notably, DeKalb county was not one of the counties that had extended hours on election day.

These are the universe of total ballots cast and provisional ballots cast, so from a statistical standpoint these changes are significant in that they describe the actual observed changes, and are not a function of random sampling. It is my opinion that these changes from 2014 to 2018 are unusually high given the overall statewide change and indicate systematic issues within these counties.

I also employ a simple regression model in order to test whether the variation between 2018 and previous years could be a result of random variation in provisional ballot usage across counties. I understand that the Court has asked for two separate comparisons: (1) a comparison between the provisional ballot rates in 2014 and 2018; and (2) a comparison between the provisional ballot rates in 2016 and 2018. I test for statistically significant differences, as requested. It is a best practice to include all available data in an analysis, so I analyze a model that includes all three election years and interpret the patterns I observe to answer the court's requests.

I report the estimates from a regression model in Table 2. The year variable identifies the year of a county's provisional ballot rate. By omitting 2018, the estimated coefficients in the model can be directly interpreted as the difference in 2018 compared to 2016 and 2014.

Variable	Coefficient	Std. Err.	t-Stat	p-Value
<i>2016</i>	-0.00058	0.00050	-1.17	0.244
<i>2014</i>	-0.00101	0.00050	-2.01	0.045
<i>Constant</i>	0.00360	0.00035	10.18	0.000

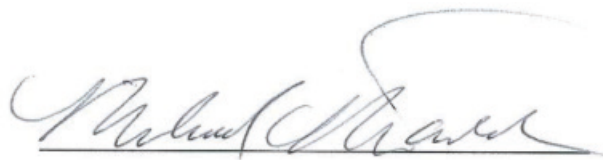
Table 2. Regression Analysis of Provisional Ballots Rates Across Georgia Counties in the 2018, 2016, and 2014 General Elections.

Examining the estimated coefficients, I observe that the provisional ballot rate was 0.1 percentage points lower in 2014 than in 2018. This estimated is statistically significant at conventional levels of statistical significance, i.e., the p -value for this coefficient is 0.045, which is less than the widely accepted .05 critical value.

The provisional ballot rate is also 0.05 percentage points lower in 2016 than in 2018. While this is in the same expected direction as 2014, it is not statistically significant at conventional levels, the p -value for this coefficient is 0.244, which is greater than the widely accepted .05 critical value.

Since midterm elections are the most comparable elections, the balance of the evidence suggests the provisional ballot rate across Georgia counties was higher in 2018 compared to 2014 or 2016. Furthermore, the raw count data of total ballots cast and provisional ballots cast indicates that these increases were primarily located within a handful of counties that experienced large increases relative to these past elections.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on November 9, 2018.

A handwritten signature in cursive script, appearing to read "Michael McDonald", written in dark ink on a light background.

(electronically signed)

Michael McDonald